

REMARKS

In response to the Office Action dated November 23, 2001, reexamination and reconsideration of the claims as respectfully requested. Claims 1-13 are pending in the case.

In paragraph 2 on page 2 of the Office Action, claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over International Application Number WO 97/18273 in view of Low (US Patent Number 6,282,281). Applicant assumes that the Office Action is referring to WO 96/18273, "Mobile Access For Cordless Terminal Mobility" by Doe, et al. (Doe), and not to the reference WO 97/18273, directed to optical density of ink compositions, as stated in paragraph 2 of the Office Action.

According to the Office Action, Doe teaches a method for location updating of a wireless terminal in a communications system composing a number of Private Branch Exchange and at least one telephone exchange and being connected to a Public Integrated Service Network and an intelligent network. Further, according to the Office Action, Doe discloses that a terminal sends location update message with a call setup to a private branch exchange and the PBX sends call set up message with addition of the location information to exchange sends service request, preferably to MSISDN number of the terminal.

However, according to the Office Action, Doe does not disclose that an exchange sends service request including adding the location information and the identity of the terminal to a node, and SCP adds the location information of the terminal to the subscriber number. Nevertheless, according to the Office Action, Low teaches a feature including adding the location information and the identity of the

terminal to a node, and SCP adds the information of the terminal to the subscriber number.

Therefore, according to the Office Action, it would have been obvious to ordinary skill in the art at the time the invention is made to provide above teaching of Low to Doe, in order to provide adding feature to the system.

The Applicant respectfully traverses this rejection. As admitted by the Office Action, Doe fails to disclose that an exchange sends service request including adding the location information and the identity of the terminal to a node, and SCP adds the location information of the terminal to the subscriber number.

However, Applicant respectfully asserts that the rejections under Low is improper since Low cannot be applied under 35 U.S.C. § 103(a). The Examiner is referred to the "Examination Guidelines for 35 U.S.C. § 102(e)(2), as amended by the American inventors Protection Act of 1999" issued by the Patent and Trademark Office. In those Guidelines, it is stated, under the first paragraph of the Summary, that the criteria for determining patentability under pre-AIPA § 102(e) applies to applications filed before November 29, 2000 and not voluntarily published according to 35 U.S.C. § 122(b). The Guidelines further state that the new criteria for determining patentability under post AIPA 35 U.S.C. § 102(e) applies to applications: a) filed on or after November 29, 2000, or b) that have been voluntarily published.

Applicant's application was filed in the United States on 16 February 1999, having a priority date of 19 September 1996 (PCT WO 98/12886). Therefore pre-AIPA § 102(e) applies to the present application, not post-AIPA § 102(e).

Under pre-AIPA § 102(e), a reference is a patent granted on an application for a patent by another filed in the United States before invention by the Applicant. Thus, only US patents may be used as references under the pre-AIPA 35 §102(e). The Low reference, on the other hand, has an effective US filing date of 3 June 1998 for §371 and §102(e). Therefore, the Low reference is not available as a reference under 35 U.S.C. § 102(e).

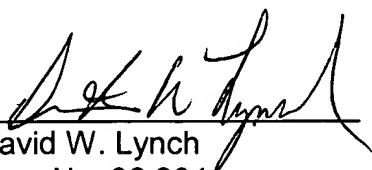
Therefore, Applicant respectfully requests that the Examiner withdraw finality of the Office Action and the rejections for independent claims 1, 8 and 10, and dependent claims 2-7, 9 and 11-13.

On the basis of the above remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

Respectfully submitted,

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